

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR383
)	
v.)	
)	
JOSE D. BUENROSTRO and)	ORDER
LUIS A. TREJO-DIAZ,)	
)	
Defendants.)	
_____)	

This matter is before the Court on the findings and recommendation and order (Filing No. [62](#)) of the magistrate judge, recommending that defendant Buenrostro's motion to suppress (Filing No. [25](#)) and defendant Trejo-Diaz' motion to suppress (Filing No. [30](#)) be denied.

Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the matter *de novo*, including the objections (Filing Nos. [66](#) and [68](#)), and briefs in support of and in opposition to the motions, as well as the transcript of the hearing (Filing No. [65](#)). The findings and recommendation of the magistrate judge will be approved and adopted and defendants' motions to suppress will be denied. Accordingly,

- 1) The findings and recommendation of the magistrate judge are approved and adopted.
- 2) Defendants' motions to suppress are denied.

3) Trial of this matter is scheduled for:

Tuesday, July 6, 2010, at 9 a.m.

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. This will give the parties time to prepare for trial or pursue plea negotiations, and will accommodate the schedule of the Court. The ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between June 9, 2010, and July 6, 2010, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 9th day of June, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court